

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**TERESA WALTON**

**Plaintiff,**

**v.**

**TRINITY INDUSTRIES**

**Defendant.**

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**Civil Action No. 6:13cv937**

**ORDER ADOPTING REPORT AND  
RECOMMENDATION OF MAGISTRATE JUDGE**

The above entitled and numbered civil action was assigned to United States Magistrate Judge John D. Love pursuant to General Order 14-10 and referred pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration (Doc. No. 20). The report recommends that Defendant's Motion to Dismiss be granted and pursuant to Federal Rule of Civil Procedure 41(b) and Plaintiff's failure to properly respond as instructed, the cause of action should be dismissed without prejudice. The parties have made no objections to the Report and Recommendations. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is **ORDERED** that the cause of action be **DISMISSED WITHOUT PREJUDICE**.

**SIGNED this 24th day of November, 2014.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE